

10-31-00

(2)

SECTOR 1/8

ATTY. CKET NO.: 25436/1280

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
DuBois and WalkerPeach )  
)  
Serial No.: 09/594,065 )  
)  
Filed: June 14, 2000 )  
)  
For: Compositions, Methods and Kits )  
For Herpes Simplex Virus )  
Type 1 and 2 Nucleic Acid Detection )

Art Unit: 1645

Assistant Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

**TRANSMITTAL LETTER**

Sir:

Enclosed for filing in the above-identified patent, please find the following documents:

1. Response to Notice to File Missing Parts w/ Certificate of Express Mailing;
2. Copy of Notice to File Missing Parts;
3. Executed Declaration and Power of Attorney;
4. Copy of Executed Small Entity Statement; and
5. Return Postcard.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 16-0085, Reference No. 25436/1280. A duplicate of this transmittal letter is enclosed for this purpose.

Respectfully submitted,

10/30/00  
Date

Kathleen M. Williams, Esq.  
Reg. No. 34,380  
PALMER & DODGE, LLP  
One Beacon Street  
Boston, MA 02108-3190  
Phone: (617) 573-0100

EL591997732US



Atty. Docket No.: 25436/1280

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: DuBois and WalkerPeach  
Serial No.: 09/594,065  
Filed: June 14, 2000  
Entitled: Compositions, Methods and Kits for  
Herpes Simplex Virus Type 1 and 2  
Nucleic Acid Detection

Examiner:

Group Art Unit: 1645

Box: Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the papers attached hereto are being deposited with the United States Postal Service using Express Mail , **Express Mail No. EL591997732US** on this date, **October 30, 2000**, postage prepaid, under 37 C.F.R. 1.10 in an envelope addressed to Commissioner for Patents, Box Missing Parts, Washington, D.C. 20231.

Kathleen M. Williams, Ph.D.

Name of Person Mailing Paper

[Signature]  
Signature of Person Mailing Paper

Respectfully submitted,

Date: 10/30/00

[Signature]  
Kathleen M. Williams, Ph.D.  
Registration No.: 34,380  
PALMER AND DODGE, LLP  
One Beacon Street  
Boston, MA 02109-3190  
Telephone No: (617) 573-0100



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Examiner:

Group Art Unit: 1645

Box: Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231


RESPONSE TO NOTICE TO FILE MISSING PARTS

Dear Sir:

In response to Notice To File Missing Parts of Application mailed 8/29/00 in the above-referenced patent application, please find enclosed a Executed Declaration and Power of Attorney Form, and Copy of Notice to File Missing Parts. Also enclosed is a check in the amount of \$863.00 for requisite fees. The Applicants believe that a 50% reduction in fees is due as the Small Entity Statement was filed October 6, 2000, a copy of which is enclosed.

Respectfully submitted,

Date: 10/30/00

  
Kathleen M. Williams, Ph.D.  
Registration No.: 34,380  
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One Beacon Street  
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COPY



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/594,065	06/14/2000	Cindy Peach Walker	25436/1280

Palmer & Dodge LLP  
One Beacon Street  
Boston, MA 02108

## FORMALITIES LETTER



\*OC000000005362387\*

Date Mailed: 08/29/2000

9/29  
10/29

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

## Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
  - Total additional claim fee(s) for this application is \$906.
    - \$360 for 20 total claims over 20.
    - \$546 for 7 independent claims over 3.
  - The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
  - To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
  - Small Entity Statement is unsigned. 1 11/02/2000 GTEFFERA 00000049 160085 09594065
- |           |           |
|-----------|-----------|
| 01 FC:201 | 355.00 OP |
| 02 FC:205 | 65.00 OP  |
| 03 FC:203 | 180.00 OP |
| 04 FC:202 | 263.00 OP |
| 17.00 CH  |           |
- The balance due by applicant is \$ 1726.

A copy of this notice MUST be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

